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EDMONTON

Synopsis of Statutes of General Application

ENACTED AT THE
FOURTH SESSION
OF THE
NINTH LEGISLATURE

February 10th to March 24th
1944

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— and —

Published by Order of the
Legislative Assembly of Alberta

EDMONTON:
A. Shnitka, King's Printer
1944

PROVINCE OF ALBERTA
HIS HONOUR JOHN C. BOWEN,
Lieutenant Governor

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SYNOPSIS OF STATUTES OF GENERAL APPLICATION

**Enacted at the Fourth Session of the
Ninth Legislature**

APPROPRIATION ACT, 1944

(Chapter 1)

This Act provides for the payment out of the General Revenue Fund of \$36,262.88 on account of expenditures for the fiscal year ending the 31st day of March, 1943, and for the payment out of the General Revenue Fund of \$2,460,063.70 on account of expenditures for the fiscal year ending the 31st day of March, 1944, and for the payment out of the General Revenue Fund of a sum not exceeding \$27,767,511.41 on account of expenditures of the public service for the fiscal year ending the 31st day of March, 1945.

This Act came into force on March 24, 1944.

LOAN ACT, 1944

(Chapter 2)

This Act authorizes the Lieutenant Governor in Council to raise by way of loan a sum of not more than \$1,000,000 upon the credit of the General Revenue Fund.

This Act came into force on March 24, 1944.

REVISED STATUTES OF ALBERTA, 1942, AS PRINTED, AN ACT TO CORRECT CERTAIN ERRORS IN THE

(Chapter 3)

This Act does not change the existing law but corrects certain errors which have been discovered in the printing of the Revised Statutes, 1942. Some of the errors have been in the printing, such as misplaced lines, and most of the others are errors in the numbers of sections in cross references. It has been thought desirable as a matter of convenience for those making constant use of the Revised Statutes that these errors should be collected and the correction given statutory authority.

This Act came into force on March 24, 1944.

NATURAL GAS UTILITIES ACT

(Chapter 4)

This Act establishes the Natural Gas Utilities Board for the purpose of conserving natural gas in the Province. The Board consists of the present Chairman of the Board of Public Utility Commissioners and the Chairman of the Petroleum and Natural Gas Conservation Board.

The Act is divided into three parts.

Part I relates to the organization of the Board and is a virtual re-enactment of Part I of The Public Utilities Act, chapter 28 of the Revised Statutes of Alberta, 1942.

Part II deals with the general powers of the Board over public utilities and is also a virtual re-enactment of Part II of The Public Utilities Act.

Part III gives to the Board established by the Act new and important powers to deal with natural gas in the Province.

Hitherto the waste of natural gas in the Turner Valley field has been due largely to the fact that one producing company enjoyed the exclusive right to supply the natural gas markets. The Act declares null and void the exclusive features of all existing contracts for the supply of natural gas and provides that in all other respects contracts must be submitted to the Board for review and alteration. Municipal franchises are excluded from such provisions.

The Act declares all natural gas wells, as well as all natural gas pipe lines and scrubbing plants to be public utilities and the Board is given power to require the operators of such pipe lines and plants to construct whatever lines, compressors, etc., are necessary to gather in natural gas to be scrubbed and marketed, the excess to be restored to the underground formation. The Board is given power to fix the price of natural gas at all stages from the well-head to the point where it is delivered to the utilities supplying municipalities and other markets.

The Act provides that in the event of non-compliance with orders of the Board requiring the gathering in of natural gas, the Lieutenant Governor in Council is empowered to take over the management of, or to acquire by purchase or to expropriate the business of the company which has made default under the Board's order.

The Act declares every pipe-line company purchasing gas in a field to be a common purchaser in accordance with the production allowances fixed by the Conservation Board and by

this means every producer of natural gas in a field is assured of an equitable share in the markets available.

This Act came into force on March 24, 1944.

POWER COMMISSION ACT

(Chapter 5)

This Act establishes the Alberta Power Commission and prescribes its powers and duties.

Power is defined by the Act as including hydraulic, electrical, steam, gas or other power.

The Commission will consist of not more than three members to be appointed by the Lieutenant Governor in Council.

The Act is largely an Act empowering the Lieutenant Governor in Council to authorize the Commission to manufacture and distribute power, to develop waterpower, to purchase properties for the manufacture or distribution of power as well as to expropriate lands used or suitable for use for the generation or distribution of power. In the event of expropriation, provision is made for payment of compensation.

By a separate section the Commission is given power to enter upon, take possession of and manage without expropriation existing plants for manufacturing or distributing power when the proprietor has disobeyed an order of the Board of Public Utility Commissioners.

Provision is made in the Act for the setting up of rural power districts and for the making of contracts with rural municipalities for the distribution of power in rural power districts.

Power is also given to the Commission to contract with any municipality to supply power.

The Act provides that all property acquired by the Commission shall belong to the Crown in the right of the Province and that the net profits be paid, under the direction of the Lieutenant Governor in Council, into the General Revenue Fund of the Province.

This Act came into force on March 24, 1944.

DEPARTMENT OF PUBLIC WELFARE ACT

(Chapter 6)

This Act creates a new Department whose functions are set out in section 6.

Authority is given for the appointment of a Minister, Deputy Minister and other officials.

It is provided that the Department shall submit to the Lieutenant Governor in Council an annual report on the work of the Department

which will be laid before the Assembly within fifteen days of the commencement of each session.

The various Acts to be administered by the Department are to be fixed by Order of the Lieutenant Governor in Council.

This Act came into force on March 24, 1944.

ALBERTA BANKING POWERS ACT

(Chapter 7)

This is an Act to enact The Alberta Banking Powers Act which takes the place of The Alberta Banking Powers Act, being chapter 39 of The Revised Statutes of Alberta, 1942.

Section 2 of the Act enables the Lieutenant Governor in Council to authorize one or more members of the Executive Council to obtain the enactment of a statute incorporating the Alberta Provincial Bank and to become provisional directors thereof. It also permits them to subscribe and become shareholders therein to the extent of five hundred thousand dollars, to become directors of the Bank and to exercise all the powers and functions and perform all of the duties required under the provisions of The Bank Act.

Section 3 of the Act enables the Provincial Treasurer, with the approval of the Lieutenant Governor in Council, to pay out of the General Revenue Fund,—

- (a) the costs and expenses of incorporating the Alberta Provincial Bank;
- (b) the sum of five hundred thousand dollars to enable the members of the Executive Council to become shareholders in the Bank up to that amount.
- (c) such sums as may be required to satisfy any liability upon the members of the Executive Council as shareholders or directors of the Bank.

Section 4 of the Act provides that if any member of the Executive Council ceases to be a member of the Council, he shall cease to be a shareholder or director of the Bank.

Section 5 of the Act enables the Bank to be sued and the Provincial Treasurer is required to pay out of the General Revenue Fund such sums as may be required to satisfy any judgment or liability imposed upon the Bank.

Section 6 of the Act repeals The Alberta Banking Powers Act, being chapter 39 of the Revised Statutes of Alberta, 1942.

This Act came into force on March 24, 1944.

CHILD WELFARE ACT

(Chapter 8)

This Act amends and consolidates in one Act the provisions of the following Acts:

The Child Welfare Act;

The Juvenile Court Act;

Part VII of The Domestic Relations Act—dealing with adoptions;

The Children of Unmarried Parents Act.

PART I—NEGLECTED AND DEPENDENT CHILDREN.

Section 3 of the Act provides for the appointment of a psychiatrist to be attached to the Child Welfare Branch to assist in the care and placement of mental defective children and also to assist the Commission and the Superintendent in the care, training and treatment of juvenile delinquents and neglected children. The appointment of a psychiatrist was recommended in the report of the Child Welfare Committee.

Section 4 of the Act places the administration and direction of child welfare under the authority of a Child Welfare Commission of not less than three members nor more than five members. This Commission has all the powers formerly held by the Superintendent of Child Welfare who is a member of and the Chairman of the Commission. The powers of the Commission are contained in section 5 of the Act.

Section 6 of the Act provides for the appointment of a Probation Officers Selection Committee consisting of three or more persons whose prior approval shall be necessary to the appointment of all probation officers, inspectors and child welfare workers made under the provisions of this Act. This is to provide for the appointment of persons properly qualified and trained in the handling of children.

Section 7 of the Act provides for the appointment of a Home Investigating Committee of three or more persons to approve of applications for the care and custody of children in foster homes and to arrange for the supervision and inspection of foster homes in which children have been placed for adoption or otherwise.

Section 12 of the Act provides that all inspectors and child welfare workers appointed in cities and towns shall be under the direction and supervision of the Commission. It is proposed that the Commission shall have the overall supervision and direction of all child welfare work in the Province.

Section 15 of the Act, which replaces section 9 of the old Act, provides that a judge of the Juvenile Court may make one of two orders; either that the child be returned to his parents under the supervision of the Superintendent or that the child be committed temporarily or

permanently to the care and custody of the Superintendent as a ward of the Government. Formerly the judge could commit a child to an institution but it is felt that the child should be first committed to the Superintendent, who, if he deems it desirable, may place the child in an institution.

Section 17 of the Act provides for an appeal from the order of a Juvenile Court judge to a judge of the Supreme Court. This is a new provision and is not contained in the old Act.

Section 20 of the Act provides that the Commission may require a city to make provision for the establishment of an observation home and may direct that the observation home be combined with a detention home.

The provisions relating to immigrant children have been left substantially the same as they were in the old Act.

The provisions relating to the establishment of child welfare organizations have also been left substantially the same as under the old Act except that no child welfare society may have a child committed to its care and custody by a Juvenile Court judge.

Section 63 of the Act provides that any person who employs a girl under the age of eighteen years in a restaurant or hotel without the consent of her parents or guardian is guilty of an offence.

The provisions relating to the ill-treatment of children have been strengthened to some extent.

Section 68 of the Act replaces the old section 69 and it provides that the publisher of a newspaper is required to obtain the approval of the Commission before publishing any advertisement dealing with the adoption, putting out or care of children.

Section 72 of the Act enables the Minister to make regulations governing the duties of the Commission and officials appointed under the Act and governing other matters necessary to carry out the provisions of this part of the Act.

PART II—JUVENILE COURT.

The provisions of this Part of the Act are substantially the same as those contained in The Juvenile Court Act.

PART III—ADOPTION OF CHILDREN.

This Part of the Act is substantially the same as the provisions of The Domestic Relations Act dealing with the adoption of children except that the information to be given on applications for adoption is more extensive than that contained in the old Act.

PART IV—CHILDREN OF UNMARRIED PARENTS.

This Part of the Act is substantially the same as the provisions of The Children of Unmarried Parents Act except that it is clearly extended to cover the case of a married woman who has given delivery to an illegitimate child while living apart from her husband.

There are other minor changes from the provisions of the former Acts which are made for the sake of clarification and greater facility in dealing with matters relating to child welfare. Practically all of the recommendations of the Committee on Child Welfare have been incorporated in Part I of this Act.

This Act is to come into force on May 1, 1944.

MATERNITY HOSPITALIZATION ACT

(Chapter 9)

This Act provides for the free hospitalization of maternity patients when they have resided in Alberta for the period set out in the Act, and also under special circumstances to be defined by Order in Council. Provision is made for the Minister of Health entering into agreements with the various hospitals and approved nursing homes for the hospitalization of the patients in question.

Section 4 authorizes the Minister, with the approval of the Lieutenant Governor in Council, to make regulations in connection with the details in the carrying out of the Act.

Section 5 defines the women who are entitled to the benefit of the Act and limits the period of free hospitalization to twelve days.

Section 6 provides for persons obtaining hospitalization in a semi-private ward at their own expense in so far as the extra expense is concerned, and section 7 provides that persons may make arrangements for their own hospitalization without regard to the Act.

The Act is to come into force on April 1st. 1944.

APPRENTICESHIP ACT

(Chapter 10)

This Act follows fairly closely the provisions of the Ontario and British Columbia Acts passed some time ago. The idea of apprenticeship training has been recommended by the Reconstruction Committee of Alberta and also by the Reconstruction Committee of the Dominion, and this enactment would enable the Province to co-operate with the Dominion Government in putting the apprenticeship idea into effect. The expense involved in this scheme would be borne as to servicemen wholly by the

Dominion, and as to others, 50% would be borne by the Province and 50% by the Dominion.

The general purpose of the Act is to require all employees over 16 and under 21 years of age to receive apprenticeship training, and it is provided that no person between those ages can be employed for more than three months without entering into an apprenticeship contract or receiving the permission of the Board constituted under the Act.

The Act applies to trades which are designated by the Lieutenant Governor in Council as trades coming within the provisions of the Act.

Under section 4, provision is made for the constitution of a Provincial Apprenticeship Board consisting of not more than five persons appointed by the Lieutenant Governor in Council.

Provision is made in section 5 for the appointment of a Director of Apprenticeship and for other officers necessary for the carrying out of the provisions of the Act.

Provision is made in section 6 for petitions from employers and employees asking to have a trade designated as a trade under the Act and also for the filing with the Minister of agreements between employers and employees as to that matter. Provision is made for investigation into the propriety of having the trade designated, and after such inquiry, the Minister with the approval of the Lieutenant Governor in Council may designate such trades as may be considered expedient as coming within the Act.

Provision is made for local supervision in section 7 by the appointment of the Advisory Committee in areas of the Province.

Provision is made in section 8 for a Provincial Advisory Committee for any designated trade. This Provincial Advisory Committee is given authority in section 9 to make regulations with regard to the particular trade to which it relates with regard to the qualifications of apprentices, the apprenticeship period and the number of apprentices who may be apprenticed to each employer. Regulations under this authority cannot be made which are in conflict with regulations made by the Board.

The duties of the Director are set out in section 10, and among other duties he is required to keep a register of every contract of apprenticeship.

By section 13 it is required that every contract of apprenticeship shall be in the form prescribed by the Board and approved by the Board. It must also be registered with the director.

Provision is made in section 14 for presently existing contracts of apprenticeship being registered at the office of the Director, and in section 15 provision is also made for the case of a person employed as an apprentice but not under contract.

Section 16 sets out the persons who must sign a contract.

Provision is made in section 18 for the termination of a contract with the approval of the Board, or the cancellation of it by the Board for cause.

Section 19 provides for the transfer of an apprentice from one employer to another in certain cases.

In section 20 authority is given to the Lieutenant Governor in Council to make regulations as to various matters in the administration of the Act.

Section 21 provides that amendments shall not be made to regulations of the Board or a Provincial Advisory Committee except upon written notice to the representative organizations of employers and employees in the trade affected.

Section 22 imposes penalties for breaches of the Act.

Authority is given by section 23 for the Minister of Trade and Industry with the approval of the Lieutenant Governor in Council to enter into an agreement with the Minister of Labour relating to apprenticeship training and as to the distribution of the cost of same.

This Act comes into force on Proclamation.

FROZEN FOOD LOCKER ACT

(Chapter 11)

This Act is a new enactment. The main purpose of the Act is to provide for licensing and regulating frozen food locker plants of which there are now a considerable number in the Province and more are expected.

The Act provides that no person shall carry on the business of a frozen food locker plant without a license.

Provision is made for the issuance of licenses upon application but with a discretion to the Minister to grant or refuse any application. The Minister is given power if in his opinion the licensee contravenes any of the provisions of the Act or regulations to suspend, revoke or cancel the license and it is also provided that no license shall be issued by a city, town, village or municipal district for such plants unless they have first obtained a license under this Act.

Provision is made in section 11 for the setting up of an advisory board to confer with and

advise the Minister on the administration of the Act and the regulations.

Section 12 sets out various matters with respect to which regulations may be made by the Minister with the approval of the Lieutenant Governor in Council.

The general provisions are contained in sections 13 to 16 and include the penalties imposed for contravention of the Act.

Part II of the Act deals only with frozen food locker plants which are organized under The Co-operative Associations Act, and authorizes the Government to guarantee borrowings by such a co-operative association for the purpose of acquiring and equipping a plant, and on certain conditions further borrowings after capital borrowings have been repaid. These provisions are similar to those now contained in The Co-operative Marketing Associations Guarantee Act, and sections 3 to 7 of that Act are made to apply to any guarantees which may be authorized under this Act.

This Act came into force on March 24, 1944.

FISH DEALERS ACT

(Chapter 12)

The purpose of this Act is to regulate and license persons dealing in fish, whether as fish dealers who are defined as persons other than retailers who buy fish for the purpose of resale, persons operating fishing stations which are defined as places where fish are received from the fishermen and packed or received and packed, and retailers.

Section 3 of the Act deals with licenses and enumerates the different classes of licenses which may be issued, and a license may cover more than one of the classes of business mentioned. By section 5 the Minister is given discretion as to the issue of licenses.

Sections 6 and 7 deal with the records which must be kept by fishing station operators, fish dealers, and others engaged in the business of processing or exporting fish. Full details of each transaction must be kept and duplicate receipts must be issued by operators of cold storage plants. Retailers are required by section 7 to keep a record of each individual purchase made by them.

Sections 8 and 9 deal with statements which are required to be forwarded each month to the Commissioner by every fishing station operator, fish dealer and other person engaged in the business of processing or exporting fish.

Section 10 provides for an officer appointed under the Act examining and taking extracts from records required to be kept by the Act, and section 11 deals with carriers and requires

them to obtain from a shipper of fish a statement giving the particulars set out in the section.

Section 12 provides for regulations being made by the Lieutenant Governor in Council as to the matters mentioned in the section.

Sections 13 to 16 deal with offences and penalties, section 17 deals with the procedure in prosecuting under the Act, and sections 18 and 19 deal with the power of search given to officers appointed under the Act who may, without warrant, exercise the powers set out in these two sections.

Sections 20 and 21 deal with the powers of seizure where a violation of the Act is being committed, and section 22 deals with the forfeiture of the fish, containers, vehicles, etc., following a conviction.

Section 23 provides that a license held by a convicted person shall be automatically cancelled, but the Minister is given power to reinstate such a license. The Minister is also given power to grant relief against forfeiture in cases of undue hardship or of an injustice.

This Act came into force on March 24, 1944.

ALBERTA FISH INSPECTION ACT

(Chapter 13)

This is a new Act, the purpose of which is to validate any provisions of The Dominion Fish Inspection Act which may be outside the jurisdiction of Parliament and within that of the Province. Similar Acts have been passed in four other Provinces.

This Act came into force on March 24, 1944.

WARTIME MORATORIUM ACT

(Chapter 14)

This is a new Act, the purpose of which is to prevent foreclosure actions and actions on agreements for sale being taken against farmers while they are in the armed forces.

By section 4 of the Act the protection given to farmers in the armed services is extended to farmers who have in the armed services a wife, husband, son or daughter, provided such relative was immediately prior to his becoming a member of the armed forces, living with the farmer on the land, or assisted him in the operation of the farm. The relief granted by this section is limited to mortgages, etc., executed before the 21st day of June, 1940.

Sections 6, 7, 8 and 9 are procedural and deal with the duties of judges and provide a method of proof of the discharge or death of the member of the armed forces. It is also

provided by section 8 that the Act does not apply where a defendant consents or where he has disposed of the mortgaged property.

Section 10 of the Act provides that the time during which action is prevented or delayed shall not be computed for the purposes of The Limitation of Actions Act.

This Act came into force on March 24, 1944.

LAND SALES PROHIBITION ACT

(Chapter 15)

This Act replaces The Land Sales Prohibition Act and amendments, chapter 209, R.S.A., 1942, which was disallowed by the Governor in Council. The new Act omits all reference to enemy aliens to which objection was taken at Ottawa.

Otherwise the Act is in the same terms as the former Act as amended in 1943. Protection is given for the renewal of leases granted prior to the 14th day of February 1944, and authority is given to register transfers resulting from agreement for sale made prior to March 1st, 1942.

This Act came into force on March 1, 1944.

WESTERN IRRIGATION DISTRICT ACT

(Chapter 16)

This Act incorporates the Western Irrigation District and validates an agreement which has been entered into subject to validation between the Canadian Pacific Railway Company and owners and purchasers of land in what is known as the Western Section of the Canadian Pacific Railway Irrigation Block east of Calgary. The Act is in the main, similar to the Act incorporating the Eastern Irrigation District, chapter 34, Statutes of Alberta, 1935, which also validated an agreement between the C.P.R. and farmers and water users occupying the Eastern Section of the Irrigation Block. Action by the Legislature was asked for in a petition addressed to the Minister of Agriculture signed by over seven hundred land owners and purchasers who indicated in the petition the area of land to be irrigated by each petitioner and whether or not water was required for domestic use.

Section 3 constitutes the District and Schedule I sets out the lands included in the District. The lands of persons who now have water agreements with the Railway Company are included in the District, and all the obligations of the Company to such water users are assumed by the District.

The committee which negotiated the agreement on behalf of the land owners and purchasers are constituted the first Board of the

District and will hold office for one year when an election will be held. Sections 4 to 6 deal with the constitution of the Board and with the first election.

Section 7 validates the agreement above referred to which is Schedule II to the proposed Act. The principal features of the agreement which are not also set out in the Act are:

(a) The Company gives the Board use of the trunk telephone line between Calgary and Strathmore.

(b) The Company transfers to the Board all farm machinery, horses, machinery equipment and chattels of every description used in connection with the works and all stores and supplies at headquarters at Strathmore.

(c) The Company agrees to operate the works until April 30th, 1944, and to deliver possession to the Board on May 1st, 1944.

(d) The Company covenants to pay to the Board \$200,000 on April 1st, 1944, \$100,000 on April 1st, 1945, and \$100,000 on May 1st, 1946, the said amounts to be used for maintenance, operation, renewal and repair of the undertaking and works.

(e) The Company also agrees to pay the Board on or before May 1st, 1944, as compensation for the assumption by the Board of the obligation to carry out the Company's water agreements, an amount equal to \$20.00 per acre of irrigable land included in the water agreements transferred to the Board.

(f) The Board indemnifies the Company against every liability which now exists or may hereafter exist or arise against the Company relating to the undertaking and works or their operation, etc.

(g) The Board agrees to deliver water required by the Company for industrial purposes at \$1.50 per acre foot at district delivery points, provided such delivery does not interfere with the supply of water to water users in the District.

(h) The Board assumes liability for taxes from the date of the agreement except that the Company agrees to pay the 1944 taxes on the works, etc. situate within the City of Calgary.

(i) The Company waives any claim it might have for damage to the Railway, etc., resulting from seepage which is not due to the negligence of the Board.

(j) The Company indemnifies the Board against liability on bonds heretofore issued by the Railway Company.

(k) The Board agrees that if, at any time within twenty-one years, the lands and works transferred be utilized directly or indirectly for development of electricity or power by the

Board itself or under a contract with some corporation, the compensation accruing to the Board up to the sum of \$400,000 shall be accounted for to the Company. Provision is made for the arbitration of any dispute as to the compensation, and as to how the Board shall account for it to the Company.

Section 8 transfers the works of the Company to the District and terminates the duties and responsibilities of the Company with respect thereto and transfers them to the Board. By section 9 the Company transfers to the District all the lands described in Schedule A to the agreement reserving all mines and minerals.

Section 10 transfers to the Board all subsisting water agreements together with outstanding water rates.

Section 11 provides for the possibility of some water agreements being omitted from the Schedule to the agreement.

Section 12—(1) in effect amends agreements for sale of land made by the Company by eliminating the reference to water agreements for which the Board will in future be responsible. Subsection (2) of the same section transfers to the Board the benefit of reservations and exceptions in favour of the Company giving it the right of entry, etc., to construct ditches contained in the agreements for sale.

Section 13 deals with the powers of the Board over and above powers conferred on Boards by The Irrigation Districts Act. The new powers include the power to transfer the works or to enter into an agreement for their operation by some other person as agent for or jointly with the Board. Power is also given to supply water for domestic purposes to lands within and without the District and to make a charge therefor.

Section 14 applies the Act to the Crown as licenses to divert water granted by the Crown are or may be affected.

Section 15 exempts from every class of taxation lands acquired by the Board on account of seepage damage and lands on which the Board has a statutory easement for seepage under the provisions of The Irrigation Districts Act.

Section 17 deals with the appointment of a General Manager and his powers and duties and prohibits the Board dismissing or suspending him or altering his remuneration without the approval of the Irrigation Council, and also deals with the remuneration of other employees.

Section 18 requires audits to be made by the Provincial Auditor.

Section 19 requires the bonding of the general manager and certain other employees.

Section 22 authorizes the Board to assess the value of the benefit for domestic purposes of

water supplied to any parcel either within or without the District or used by the owner or occupant of a parcel. This benefit may be assessed against the parcel and the provisions of The Irrigation Districts Act as to assessment, etc., shall apply.

The Board is directed to establish a tariff as a basis for estimating the benefit accruing to each parcel and in establishing the tariff may differentiate between persons receiving water for domestic purposes only and those receiving water for both domestic and irrigation purposes. The charge for domestic purposes is also made a lien on crops, in the same manner as irrigation rates are now a lien on crops under The Irrigation Districts Act.

Section 24 gives directions to the general manager as to the preparation of the first assessment roll.

Section 26 defines who are entitled to vote.

Section 27 gives the Minister power on receipt of a petition within two years to include other lands in the District and also gives him power to correct errors as to inclusion in or exclusion from the District of any parcel.

Section 28 gives the Board power, in certain circumstances, to discontinue water service to a parcel on proper notice.

Section 30 authorizes the Board to accept surrender of any water agreement, and in such a case, the right of the owner to water will depend on the provisions of The Irrigation Districts Act and this Act.

Section 31 empowers the Board, with the approval of the Council, to pay the expenses incurred by any persons who acted for the water users or the District in the negotiations leading up to the making of the agreement.

This Act came into force on March 24, 1944.

REGISTERED DOCUMENTS DESTRUCTION ACT

(Chapter 17)

This Act provides for the destruction of Bills of Sale, Chattel Mortgages, etc., which have been on file for a period of twenty years in the offices of the registration clerks of the various judicial districts. More space is needed in many of the court houses and it is felt that the destruction of these old documents would provide the necessary space. Provision is made for excepting from any order of destruction documents which have been kept in force by renewal.

This Act came into force on March 1, 1944.

WARTIME TAX EXEMPTION ACT

(Chapter 18)

The purpose of this Act is to exempt persons who ordinarily reside in the United States from the minimum tax imposed by the various Statutes set out in the Act, namely, The Town and Village Act, The Municipal District Act, The Improvement Districts Act, and The School Taxation Act. The exemption applies only to the tax which is imposed upon persons who are not otherwise assessed upon the assessment roll. Persons who were so assessed would, of course, not be exempted by this Act.

This Act came into force on March 1, 1944, and it and the two Orders in Council set out in the Schedule are retroactive to January 1, 1943.

AIRDRIE SCHOOL DISTRICT, AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE, TO CANCEL OR COMPROMISE CERTAIN ARREARS OF TAXES

(Chapter 19)

The purpose of this Act is to give authority to the Board of the Airdrie School District to cancel or compromise certain taxes on the tax roll at the end of the year 1939. During the years 1929 to 1939, through errors and omissions of the secretary-treasurer, the tax roll got into such a position that it did not reflect the true position of the ratepayers. Taxes were paid which were not credited and receipts were given for wrong amounts and taxes received for which no receipts were issued. The School Board has been trying for some years to have matters straightened out and are now asking authority to cancel or compromise the portions of arrears shown on the Schedule and other arrears which may be found to be in the same position, all of which are now considered uncollectible.

This Act came into force on March 24, 1944.

INTERPRETATION ACT AMENDMENT ACT

(Chapter 20)

This Act amends section 26 of The Interpretation Act, chapter 1, R.S.A., 1942, which section makes mountain standard time the standard time of the Province.

Section 314 of The Alberta Insurance Act provides in part as follows: "Subject to subsection (2), all policies of hail insurance shall expire at noon standard time on the fifteenth day of September in the year in which they are made." Some difficulty has already been experienced in connection with certain hail losses which occur on the fifteenth of September

between twelve and one daylight saving time. The question arose as to whether the claims under those policies could be collected in view of the terms of the Statute. It seems desirable that the matter should be clarified so that there would be no doubt about the recovery of such losses.

This Act came into force on March 10, 1944.

LEGISLATIVE ASSEMBLY ACT AMENDMENT ACT

(Chapter 21)

This Act amends The Legislative Assembly Act, R.S.A., 1942, chapter 4.

Section 1 of the amending Act amends section 11 of the Act by adding a new subsection (3). The purpose of the amendment is to make it clear that a member of the Legislative Assembly may act as an agent for the Government Insurance Office without contravening the provisions of the earlier part of the section. The amendment also provides that the receipt of a bonus by a member of the Legislative Assembly with respect to goods produced by him and which is paid partly by the Dominion Government and partly by the Province, shall not affect his seat in the Legislature.

This Act came into force on March 24, 1944.

ALBERTA ELECTION ACT AMENDMENT ACT

(Chapter 22)

This Act amends The Alberta Election Act, chapter 5, R.S.A. 1942.

Subsection (3) of section 3 of the Alberta Election Act provides that in case of a vacancy occurring in the representation of an electoral division, an election shall be held to fill the vacancy within one hundred and eighty days after the occurrence of the vacancy. The proviso added by the amending Act will apply at the present time only to the electoral divisions of Calgary and Edmonton, and makes a by-election unnecessary in those divisions if a vacancy occurs three years after the general election and if Calgary or Edmonton, as the case may be, is still represented by three members.

The amendment made by sections 2 and 3 of this Act is to extend the qualification of the right to vote to persons of nineteen years of age.

Section 4 of this Act amends section 33 dealing with the requirements at nomination by providing that the nomination paper must be accompanied by a statement signed by the candidate or his official agent of his political party or political affiliations. The amendment also provides that a member of the Legislative

Assembly who is on active service outside of Canada may be nominated as a candidate in the electoral division which he represented at the time of dissolution, although his nomination paper is not accompanied by his consent in writing and does not contain the appointment of an official agent, if the nomination paper contains or is accompanied by the appointment of an official agent over the signature of the persons nominating the candidate.

Section 5 of this Act amends section 58 by striking out subsection (2) and enacting a new subsection. This provides that the ballot shall contain the political party or political affiliations of the candidate as shown on the statement accompanying his nomination paper.

The new section 81a enacted by section 6 of this Act provides for the voting of men in the armed services who are stationed in Alberta, in an electoral division other than that in which they resided when they joined the forces. It is provided that they may cast their votes where they are stationed and that their votes are to be counted in the electoral division in which they resided at the time of joining the forces and not in any other electoral division. The Lieutenant Governor in Council is authorized to make regulations to carry out these provisions, and somewhat similar sections of The Soldier's Relief Act are repealed.

The amendment to section 85 made by section 7 of this Act provides that in an electoral division for which only one member is to be elected the voter may use either the figure 1 or a cross to indicate his first choice, but his subsequent choices must be indicated in the manner now provided, namely; by the figures 2, 3, etc.

Section 8 of this Act amends section 90, subsection (5), dealing with the rejection of ballots. This amendment becomes necessary in electoral divisions where only one member is to be elected, by the amendment made to section 85.

The amendment made by section 9 of this Act dealing with the form of ballot is made necessary also by the earlier amendments of the Act.

The amendment made by sections 10 and 11 of this Act are also amendments to the forms made necessary by the amendments to the Act hereinbefore referred to.

This Act came into force on March 24, 1944.

DEPARTMENT OF PUBLIC HEALTH ACT AMENDMENT ACT

(Chapter 23)

This Act amends The Department of Public Health Act, chapter 13, R.S.A., 1942.

The object of this amendment is to provide for cases where Alberta residents are being hospitalized in another Province for tuberculosis or mental diseases, and residents of other Provinces are being similarly treated in this Province. It seems desirable that reciprocal arrangements should be entered into to avoid moving of patients from one Province to another when perhaps they are not in fit condition to be moved.

This Act came into force on March 1, 1944.

ESTATES OF THE MENTALLY INCOMPETENT ACT AMENDMENT ACT

(Chapter 24)

This Act amends The Estates of the Mentally Incompetent Act, chapter 23, R.S.A., 1942.

An amendment to section 13 provides a definite procedure whereby a committee may voluntarily apply to the Court to have its accounts passed.

Section 23 of the Act deals with persons found to be incapable through mental infirmity of managing their affairs and the amendment makes all the provisions of Part I apply thereto excepting those sections dealing with a declaration of unsoundness of mind. It also provides that the Court may appoint one or more persons or the Administrator of Estates as committee in such case.

The amendment to section 26 is to make clear the duty of the Administrator to accept appointments made by the Court and section 27 (2) is merely to make the wording of subsections (2) and (3) correspond.

The amendment to section 30 is to clarify the powers of the Administrator and make the same sufficiently wide to cover the problems arising in administration.

The amendment to section 34 is to cover cases where money is in the hands of the Administrator and the patient has left the institution and has not been heard of for seven years. The rights of the patient or his heirs to the money is protected by the existing subsection (2).

The amendment to section 36 provides that the Administrator may apply to the appropriate Court for letters of administration to a deceased patient's estate and will be entitled to obtain the same. This does not interfere with the existing power of the Lieutenant Governor in Council to make the appointment. The amendment also provides for the Administrator in certain circumstances taking administration to estates in which the patient is interested.

The amendment to section 39 adds seizures and extra-judicial proceedings to the proceed-

ings requiring leave of a judge before they can be taken against a mentally incompetent person or his estate. It also deletes the necessity of the leave of the Court being obtained for commencement of proceedings by a committee.

This Act came into force on March 1, 1944.

VITAL STATISTICS ACT AMENDMENT ACT

(Chapter 25)

This Act amends The Vital Statistics Act, chapter 30, R.S.A., 1942.

Section 1 of this Act which adds a new subsection to section 25 of the Act requires a copy of the police report of any investigation into a sudden, violent or suspicious death to be sent to the Registrar General so that it may be filed with the registration of death. This provision makes the Act conform to present practice.

The new section 31 of the Act set out in section 2 of the amending Act makes a change in the provision as to registration of stillbirths. Such births are to be in future recorded separately and where the stillbirth occurs within a period of less than twenty-eight weeks gestation, it shall not be registered.

The amendment made by section 3 of this Act introduces a new provision as to late registrations. Section 36 of the Act provides that after the expiration of one year from the date of any birth, marriage or death the particulars shall not be registered except with the written authority of the Registrar General. The new subsection (2) added to section 38 of the Act by the Amending Act provides that if such an application is made to the Registrar General after the expiration of four years from the birth, marriage or death, the application must be verified by an affidavit and must also be accompanied by some documentary or other evidence satisfactory to the Registrar General and substantiating the particulars in the registration form.

This Act came into force on March 24, 1944.

SUPERANNUATION ACT AMENDMENT ACT

(Chapter 26)

This Act amends The Superannuation Act, chapter 35, R.S.A., 1942.

Section 19a which is substituted by the amending Act for the section passed in 1943 is intended to remove an ambiguity and to make it clear that an employee who is re-employed and whose account is reinstated in the Superannuation Fund is not entitled to pay

back into the Fund upon reinstatement more than the actual amount taken out by him when he retired from the service.

The new section 30 added by section 2 of the Act is to bring employees of Marketing Services Limited, a subsidiary of the Alberta Marketing Board, under the provisions of The Superannuation Act.

This Act came into force on March 24, 1944, and section 1 is retroactive to March 30th, 1943.

PROVINCIAL LOANS ACT AMENDMENT ACT

(Chapter 27)

This Act amends *The Provincial Loans Act*, chapter 53, R.S.A., 1942.

Section 2 of the Act which is amended by section 1 of the amending Act provides for the issue of Alberta Government stock which shall not be redeemable in less than thirty years from the date of issue. The amendment reduces the time in which it is redeemable to ten years.

Section 15 which is amended by section 2 of the Amending Act authorizes the Lieutenant Governor in Council to raise by way of loan the sums necessary to implement the guarantee of the Province on outstanding obligations such as bonds. The amendment extends this authority to the case of guarantees which have not matured.

This Act came into force on March 24, 1944.

SOCIAL SERVICES TAX ACT AMENDMENT ACT

(Chapter 28)

This Act amends *The Social Services Tax Act*, chapter 56, R.S.A., 1942.

Section 2 of the Act amends section 4 dealing with urban municipalities by striking out subsection (2) and by substituting two new subsections dealing with the manner in which the tax is dealt with after collection. The amount required to be levied is constituted a debt due to the Province and when collected becomes part of the general revenue of the municipality.

The new sections 4a and 4b introduced by section 3 of the Act makes provision for the Minister requisitioning municipal districts annually for 92½% of the amount required to be levied, and requisitioning improvement districts for the amount required to be levied. In the former case the requisition becomes a debt payable in nine monthly instalments beginning April first, and in the latter case it is provided that the amount of the requisition shall be a debt payable when the tax is collected.

Section 4 of the amending Act strikes out section 5 of the Act and substitutes a new section. Subsection (1) is made necessary by the introduction of the principle of requisitioning by the Minister. The new subsection (2) provides for the subtraction of the assessed value of land from the equalized assessment in cases where it has become non-assessable since the establishment of the equalized assessment. The subsection formerly only dealt with the addition of land which became assessable after the equalized assessment.

Section 5 of the Act strikes out section 8 and re-enacts the first three lines of that section as it is thought that the remainder of the section is not necessary.

Section 9 of the Act is struck out by section 6 of the amending Act and a new section substituted, which deals with arrears of taxes owing as at January 1st, 1944. It is provided in the case of rural municipalities that after the first day of January, 1944, all arrears under The Supplementary Revenue Act and under this Act which are collected by the municipality shall become the property of the municipality, provided the taxes collected prior to the said first of January are remitted to the Minister. The same provision is made in subsection (2) as to urban municipalities subject to the condition that any municipality which in the years 1936 to 1943 (both inclusive) had not remitted to the Minister payments equal to the amount of taxes required to be levied, should pay to the Minister forthwith out of the general funds of the municipality any deficit.

This Act came into force on March 24, 1944.

SUCCESSION DUTY ACT AMENDMENT ACT

(Chapter 29)

This Act amends The Succession Duty Act, chapter 57, R.S.A., 1942.

The amendment to paragraph (c) of section 5 is for the purpose of making it clear that the interest retained in gifts where possession and enjoyment has not been assumed by the donee is taxable whether the interest retained was voluntary or by contract or otherwise, and is in conformity with the provisions of The Dominion Succession Duty Act.

The amendment to paragraph (g) of section 5 is to provide for the taxation of superannuation or pension benefits payable or granted by the Dominion or a Province or payable under any other superannuation or pension scheme, and is in conformity with The Dominion Succession Duty Act.

The amendment to subsection (9) of section 28 is to remove the restriction on an appeal to

a higher court from the Appellate Division of the Province in cases of valuations made by a commissioner.

This Act came into force on March 10, 1944, and is retroactive to January 1st, 1944.

PROVINCIAL LANDS ACT AMENDMENT ACT

(Chapter 30)

This Act amends The Provincial Lands Act, chapter 62, R.S.A., 1942.

Section 37 of the Act provides that there shall be no sale of Provincial lands except as otherwise provided in the Act without the approval of the Lieutenant Governor in Council, subject to certain exceptions. The proviso added to the section by section 1 of the amending Act allows the Minister to sell surface rights of lands to a lessee of mining rights in cases where the operations of the mine will substantially destroy the surface for agricultural purposes.

Section 47 deals with school lands, and the effect of the new subsection (4) added by section 2 of the amending Act is to authorize the Minister to sell school lands to The Director, The Veterans' Land Act for use in the re-establishment of members of His Majesty's forces. The price is to be fixed by two arbitrators, one to be appointed by the Minister and one by the Dominion Minister. The new subsection (5) provides that the proceeds are to be paid into the School Fund, which they would be if the lands were sold in the ordinary way, namely by auction.

Section 3 of the amending Act strikes out subsection (2) of section 50 as this subsection has served its purpose and is no longer used.

The amendment to section 60 enacted by section 4 of the amending Act extends the classes of persons to whom permits to cut timber may be granted.

Section 5 of the amending Act amends section 78 so as to empower the Lieutenant Governor in Council to give the Minister authority to make agreements with the Dominion authorities as to Provincial lands in relation to the re-establishment of members of His Majesty's forces; to fix compensation to be paid before issue of a mining lease on Provincial lands where in the opinion of the Minister the surface will be destroyed; to make regulations as to licensing and operation of trap lines; and generally, to deal with Provincial lands in such a way as is deemed essential in the successful conduct of the war.

This Act came into force on March 10, 1944.

ALBERTA FOREST RESERVES ACT AMENDMENT ACT

(Chapter 31)

This Act amends The Alberta Forest Reserves Act, chapter 63, R.S.A., 1942.

The new section 14*a* enacted by section 1 of the amending Act is for the purpose of securing more strict control over persons travelling in reserves, particularly with a view to obviating and lessening fire hazards. Subsection (1) prohibits persons travelling, camping or being in a reserve without a permit or without registering with certain exceptions which are set out in subsection (2). Subsection (3) authorizes the Minister to prohibit in times of extreme fire hazard any person travelling in the reserve even though he may have a permit or have registered. Subsection (4) provides penalties.

The new section 15*a* enacted by section 2 of the amending Act prohibits allowing live stock to graze on reserves without a permit, and further provides for impounding and sale of any live stock so found. Provision is made for the purchaser of live stock at a sale obtaining clear title and for the distribution of the proceeds of the sale after payment of costs to the persons shown to be entitled.

The new section 15*b* introduces sections similar to those in The Provincial Lands Act and authorizes the making of regulations prescribing the conditions under which entry may be made for mining purposes in forest reserves.

Section 19, which is amended by section 3 of the amending Act, provides penalties for offences under the Act up to five hundred dollars and costs. The amendment to section 19 is necessary by reason of the different penalties fixed in the new section 14*a*.

This Act came into force on March 24, 1944.

OIL AND GAS CONSERVATION ACT AMENDMENT ACT

(Chapter 32)

This Act amends The Oil and Gas Resources Conservation Act, chapter 66, R.S.A., 1942.

The amendment made by section 1 of the Act provides that the time for owners of petroleum properties to deliver statements to the Board as to their mineral properties is fixed at not later than the thirty-first day of March. Formerly it was not later than the thirtieth day of June, and the Board is anxious to get the information at an earlier date in the year.

The amendment to section 27 changing the date of assessment is made by reason of the amendment also made to section 26.

The new subsection (6) of section 33 added to the Act by section 3 of the amending Act is to provide for a minimum tax of one dollar, similar to the provision of The Mineral Taxation Act.

The new section 41a added by section 4 of the amending Act is to provide for extension of time where dates are fixed by the Act for certain proceedings. This is also the same provision as is now in The Mineral Taxation Act.

This Act came into force on March 24, 1944.

CROWN CULTIVATION LEASES ACT AMENDMENT ACT

(Chapter 33)

This Act amends The Crown Cultivation Leases Act, chapter 72, R.S.A., 1942.

Lands held under this Act are exempt from assessment, and under the present section 3 the Minister is authorized to pay one-fourth part of the money received by him for a crop share to a municipal district, and one-fourth part to the school district or school division, as the case may be. The amendment increases these shares to forty per cent of the amount received from the crop.

This Act came into force on March 10, 1944.

AGRICULTURAL PESTS ACT AMEND- MENT ACT

(Chapter 34)

This Act amends The Agricultural Pests Act, chapter 76, R.S.A., 1942.

The purpose of the amendment is to provide for a minimum fine of ten dollars for offences against this Act, and also to provide for imprisonment in default of payment of the fine. It has been found in practice that offences under this Act have usually been punished by a nominal fine, and it is considered that for the proper administration of the Act a minimum fine should be authorized.

This Act came into force on March 24, 1944.

AGRICULTURAL RELIEF ADJUSTMENT ACT AMENDMENT ACT

(Chapter 35)

This Act amends The Agricultural Relief Adjustment Act, chapter 78, R.S.A., 1942.

This Act authorizes the making of compromises with municipal districts of indebtedness to the Government arising out of seed grain and other relief advances made from time to time under the provisions of the enactments set out in the Schedule. The amendment adds

to the Schedule two Statutes not now included governing advances made since 1936, namely, The Agricultural Relief Advances Act passed in each of the years 1936 and 1938.

This Act came into force on March 1, 1944.

BEE DISEASES ACT AMENDMENT ACT

(Chapter 36)

This Act amends The Bee Diseases Act, chapter 80, R.S.A., 1942.

The present subsection (2) of section 3 provides for a registration prior to the fifteenth day of January in each year. It is considered desirable for the purposes of administration that no date be fixed before which registration must be made, and accordingly subsection (2) has been struck out.

The amendment to section 6 made by section 2 of the amending Act introduces the words "equipment" and "product of the bees" as they are more likely to spread the disease than the bees themselves.

The present section 7 prohibits importation of bees in hives or in any used bee equipment. The effect of the amendment is, to permit this if a permit has been obtained from the Minister.

By section 4 of the amending Act section 8 of the Act is struck out and a new section substituted. The section formerly prohibited the moving of bees, etc. a distance of more than one mile. The new section removes that limitation.

Section 5 of the amending Act strikes out section 11 of the Act and substitutes a new section. The change made is to eliminate a minimum fine of twenty dollars which was formerly provided. It is considered that this fine is much too heavy for infraction of certain provisions of the Act and that it is desirable that there should be no minimum fine under this section. The maximum fine is fixed at one hundred dollars.

This Act came into force on March 1, 1944.

ALBERTA POLICE ACT AMENDMENT ACT

(Chapter 37)

This Act amends The Alberta Police Act, chapter 109 of the Revised Statutes of Alberta, 1942.

The Province entered into an agreement for policing the Province in 1932 which agreement was ratified by an Act of the Legislature, being chapter 108 of the Revised Statutes of Alberta, 1942. Since that time certain changes in the agreement have been made and renewals have

been entered into. This amendment is for the purpose of enabling the Lieutenant Governor in Council to enter into an agreement or a renewal thereof from time to time and make such changes in the terms of the agreement or the amounts to be paid thereunder as may be deemed advisable.

This Act came into force on March 24, 1944.

ALIMONY ORDERS ENFORCEMENT ACT AMENDMENT ACT

(Chapter 38)

The amendments made by section 1 of this Act add the words "Or Part IV of The Child Welfare Act" and are necessitated by the incorporation of The Children of Unmarried Parents Act in the new Child Welfare Act, and the amendment made by section 2 is to make the maximum term of imprisonment agree with that provided in Part IV of The Child Welfare Act.

This Act came into force on March 24, 1944.

JUDICATURE ACT AMENDMENT ACT

(Chapter 39)

This Act amends The Judicature Act, chapter 129, R.S.A., 1942, sections 34 and 36.

The amendment made by paragraph (a) of section 1 of the Act is to require the Court to grant a stay of proceedings in foreclosure actions where it is made to appear that the default of the debtor is due in whole or in part to his inability to market his grain by reason of lack of elevator space. Provision is made for setting aside the stay in accordance with the change of circumstances.

Paragraph (b) changes the words "the judge" to "a judge" to make it clear that it is not necessary for applications in an action to be made before the same judge who had already made an *order nisi* or otherwise.

Paragraph (c) of the same section strikes out clause (iii) of paragraph (f). Paragraph (c) of the former clause (iii) has been re-enacted and (a) and (b) have been struck out as having references to The Debt Adjustment Act which has been repealed, making the paragraphs no longer necessary.

The amendment to section 36 of the Act made by section 2 of the amending Act adds additional words to paragraph (o). That paragraph restricted the remedy of a mortgagee or vendor to the land itself, and the added words provide that no action for damages shall lie against a mortgagor or purchaser where the land has been sold for taxes whether arising from the default of the mortgagor or purchaser or not.

This Act came into force on March 24, 1944.

TOWN AND VILLAGE ACT AMENDMENT ACT

(Chapter 40)

This Act amends The Town and Village Act, chapter 150, R.S.A., 1942.

Section 207 of the Act which is amended by section 2 of the amending Act provides for the council of a town or village with the approval of the Board of Public Utility Commissioners purchasing or leasing land for an airport, and erecting necessary buildings, etc., and also authorizes the council to grant a bonus to any person or corporation for the construction or operation of an airport. The proviso to the section limits the authority of the council to expend in excess of five hundred dollars in any one year unless a by-law authorizing expenditure or liability has been submitted to the proprietary electors. The effect of the amendment is to extend the authority of the council to borrow without submitting a by-law to the proprietary electors in proportion to the population of the town or village but putting an outside limit of two thousand dollars on the authority to incur the liability without submitting a by-law.

Section 3 of the amending Act which amends section 226 (*m*) of the Act authorizes the council to impose a fee for a building permit.

Section 4 of the amending Act strikes out section 236 and enacts a new section which authorizes towns and villages to pass a by-law providing for the imposition of sewer rates on persons whose buildings are connected with the sewer, and also provides the machinery for fixing the rates and enforcing collection of them.

Section 250*a* of the Act which is introduced by section 5 of the amending Act is a new section with reference to the burial of ex-servicemen who die in the town or village.

Section 6 of the amending Act strikes out section 267 of the Act and substitutes a new section. The effect is to eliminate the reference to The Tax Recovery Act and to permit three readings of a by-law at the meeting by unanimous consent.

Section 7 of the amending Act strikes out section 300 of the Act which dealt with a minimum hospital tax. This is struck out as there is already a minimum hospital tax provided for in The Municipal Hospitals Act.

The striking out of this section necessitates the amendment made by section 8.

The new section 315 enacted by section 9 of the amending Act makes new provisions as to penalties, which must be authorized by by-law, substituting one annual penalty of 6% on April 1st, instead of two penalties of 4% each.

It is provided that this section will not come into force until the first day of August, 1944, so that it will not interfere with the penalty due on July 1st under the present section.

This Act came into force on March 24, 1944.

MUNICIPAL DISTRICT ACT AMENDMENT ACT

(Chapter 41)

This Act amends The Municipal District Act, chapter 151, R.S.A., 1942.

The amendments made by section 1 to 11 (inclusive) and 14 to 20, provide for an extension of the franchise in municipal districts to all persons of the age of twenty-one years who are British subjects and who have resided in the division for a period of six months immediately preceding the day fixed for nomination of candidates, and other changes made necessary by the extension of the franchise. Provision is made for an enumeration of the new voters in each division in which an election is being held, and particulars are set out as to the duties of the enumerator.

Section 33 of the Act which is amended by section 5 of the amending Act deals with the qualification of voters on money by-laws. No change is made in this qualification, and the amendment is merely to eliminate any reference to relations of ratepayers who no longer vote as such relations but as British subjects over twenty-one years of age, etc. No change is made in the qualifications of ratepayers, and they will vote whether they are British subjects or not.

Subsections (5) and (6) of section 35 of the Act, which are struck out by section 7 of the amending Act, deal with the voting by tenants as agents for the owner of the property. Tenants will now vote if qualified in the manner referred to above.

Section 8 of the amending Act enacts a new subsection (5) of section 37 and provides that a person if qualified to vote otherwise than by being on the assessment roll, shall vote in the electoral division in which he resides. The former subsection (5) referred to the vote by a relative of the elector.

A change is made by section 14 of the amending Act as to the date of election which it is provided will be held on the fourth Saturday following the nomination day instead of the first Saturday as at present. The reason for this change is to give time for the preparation of voters' list after nomination day because the enumeration is only provided for in the event of a poll being required.

Section 133 of the Act, which is amended by section 17 of the amending Act, deals with the

qualification of councillors. The former paragraph (f) is struck out and a new paragraph substituted which eliminates the reference to relatives and sets out separately the qualification for councillors where there is a municipal voters' list and where there is no municipal voters' list, that is, in the first election after the constitution of the district.

The new section 44a of the Act enacted by section 12 of the amending Act provides for the case of a returning officer being unable to carry out his duties and authorizes the reeve to fill the vacancy. The provision formerly in the Act, namely, subsection (6) of section 40, referred only to the case of a first election.

The change made by the amendment to section 49 is to require, in addition to the statement by a candidate for election, a certificate of the secretary-treasurer showing that the candidate is not disqualified for non-payment of taxes.

The amendments to section 164 of the Act made by section 21 of the amending Act increase the allowance for councillors attending meetings from five dollars to six dollars for a meeting; increase the remuneration of the reeve from five dollars to six dollars per day spent in the discharge of the duties other than the attendance of council meetings; and increase the remuneration of councillors from four dollars to five dollars for each day not exceeding fifteen days in any year occupied in inspecting work performed for the district. Authority is given for payment for more than fifteen days subject to the approval of the Minister.

Section 22 of the amending Act strikes out paragraphs (m) and (p) of section 180 and substitutes new paragraphs. The effect of the change is to cut out any reference to trust accounts and separate funds as these are abolished under other sections of the Act.

Section 23 of the Amending Act adds three new subsections to section 189 of the Act, which section deals with the duty of the council as to roads. The amendments authorize the council to enter upon land abutting on a road for the purpose of erecting a snow fence. Provision is made for compensation in the event of damage, the amount of the compensation to be fixed by the council. Provision is also made for the removal of a fence by the council before April 15th with the privilege after that date to the land owner of removing the fence at the expense of the council.

Section 248 of the Act which is amended by section 24 of the amending Act, authorizes the council to prohibit the burial of dead in hamlets. The intention of the amendment is to enable the council to except from such prohibition a recognized cemetery.

Section 25 of the amending Act enacts a new section 269. The only change in the section is the elimination of the reference to by-laws under The Tax Recovery Act authorizing the sale of land, which under the old section could not be read more than twice at a single meeting. This amendment is made to agree with a similar amendment made to The Tax Recovery Act.

The new sections 288 and 289 enacted by sections 26 and 27 of the amending Act authorize the assessment of personal property in cases only, of course, where a municipality has passed a by-law authorizing the assessment of personal property. Section 289 also sets out the various requisitions which the municipal district has to provide for, including a new requisition under amendments proposed to be made to The Social Services Tax Act.

The new section 291 of the Act enacted by section 28 of the amending Act provides what is required to be set out on the assessment and tax roll. The change made from the former section is to eliminate the provisions requiring the setting out of the amount of each individual tax, such as business tax, social service tax, etc. Several rates of taxation appear in the statement, but only the total of the taxes levied and arrears.

Section 292, imposing a minimum tax for school purposes of twenty-five cents, is struck out as the school taxes under the amendments will no longer be segregated.

Section 30 of the amending Act amends section 295 of the Act dealing with the tax notice. Paragraphs (a) and (b) relate to matters of procedure, and paragraph (c) enacts a new subsection (2) dealing with the contents of the tax notice. The only change made in subsection (2) is to cut out the reference to "the several taxes levied for the current year."

Section 31 of the amending Act enacts a new section 298 dealing with penalties which is to come into force on August 1, 1944. Formerly penalties were imposed where taxes were not paid before the first day of July the following year. The new provision provides for penalties being imposed by by-law when taxes are in arrears on the first day of April. The new provision provides for annual penalties in lieu of semi-annual penalties previously provided for. The amount of the penalty is fixed at not more than six per cent annually instead of four per cent semi-annually.

The new section 299 enacted by section 32 of the amending Act, deals with discounts for prompt payment of taxes. Authority is given to the council to fix discounts not exceeding ten per cent, and different rates may be allowed for payments before different specified dates.

Sections 33 and 34 of the amending Act strike out subsection (2) of section 302, and

section 303, these sections being no longer applicable in view of the change as to levying of taxes.

Section 35 of the amending Act amends section 306 of the Act. This section provided that arrears of taxes and current taxes should be a special lien and charge on all crops grown on the land with respect to which the taxes are owing. It further provided that any person or corporation except a country elevator taking or accepting any part of the crop or any part of the proceeds of the crop with certain exceptions as set out in the section, should be liable for the payment of the taxes to the extent of the share of the crop received. Difficulty has resulted from this provision as a farmer in presenting a cash ticket to a bank, treasury branch or merchant would be required to present with it a receipt for his taxes. Otherwise he might have difficulty in having the cash ticket accepted. The proposed amendment is to exempt from liability a treasury branch or chartered bank on receiving deposits of the proceeds of the sale of a crop provided the deposit is not applied on indebtedness incurred prior to the first day of January of the year of deposit. It also protects a merchant who accepts a cash ticket in payment of goods sold or advances made in the same calendar year in which the ticket is received.

Section 36 of the amending Act strikes out section 322. This section dealt with a minimum hospital tax imposed by municipalities, but it is considered unnecessary as under The Municipal Hospitals Act provisions are made for a minimum tax for those seeking the minimum rate for hospital supporters.

The amendment to section 323 is made necessary by the striking out of section 322.

The new section 324 enacted by section 39 of the amending Act provides that all taxes shall be paid into general revenue and available for distribution for the different purposes mentioned. This amendment is necessary by reason of the abolition of the different special accounts and trust funds formerly required to be kept.

Sections 327 and 328 of the Act are struck out as being no longer necessary in view of the change in the method of levying taxes and keeping accounts.

Section 329 of the Act is amended by section 41 of the amending Act merely to include school divisions within its operation.

The new section 336 enacted by section 42 of the amending Act is to make it clear that the charge on taxes for moneys borrowed is upon the taxes generally and not on the taxes which are collected for the purpose for which the borrowing was made as the section formerly stood.

The change made in section 337 by section 42 of the amending Act is similar to the one made to section 336.

Section 43 validates an Order in Council passed, subject to validation by the Legislature, on November 2nd, 1943, which Order in Council enacted many of the amendments made by this Act. The Order in Council was passed so as to enable municipalities to start out the year 1944 under the new system of single tax levy. It is provided that this Order in Council should remain in force until this Act is enacted and comes into force.

A new Form FF, Enumerator's Oath, is added to the Act by section 44 of the amending Act.

Section 45 of the amending Act amends Form J, and section 46 enacts a new form JJ in conformity with the amendment made to section 49 of the Act by section 13 of the Amending Act.

Form R in the Schedule to the Act is amended by section 47 of the amending Act. This provides a form of oath which may be required from any person not on the assessment roll.

Form S is also amended by incorporating a provision as to the voter being a British subject in cases where he is not on the assessment roll.

This Act came into force on March 24, 1944.

IMPROVEMENT DISTRICTS ACT AMENDMENT ACT

(Chapter 42)

This Act amends The Improvement Districts Act, chapter 152, R.S.A., 1942.

The amendment to section 8 of the Act which appears in section 1 of the amending Act is to cure an omission by including a reference in section 8 to personal property.

The new section 11 introduced by section 3 of the amending Act makes a new provision as to contents of the tax roll to comply with the provision as to one tax levy instead of individual levies for the different taxes. The total mill rate levied and the total taxes will be shown on the roll, and provision is also made for the individual rates to appear on the notice.

Section 4 of the amending Act cures an omission in Section 12 with regard to businesses.

The new subsection (2) of section 17 enacted by section 5 of the amending Act provides for the contents of the tax notice. The only change in this subsection is the omission of the words "the several taxes levied for the current year".

Section 20 of the Act is amended by section 6 of the amending Act relating to penalties, and the new subsection (3) of that section is to

come into force on the first day of August, 1944. The Act as it now stands provides for a four per cent penalty on arrears to be added on the first of July and four per cent on the sixteenth of December in each year, and the amendment provides for a single penalty of six per cent payable after the 31st of March in any year.

Section 7 of the amending Act amends section 26 of the Act. This section provided that arrears of taxes and current taxes should be a special lien and charge on all crops grown on the land with respect to which the taxes are owing. It further provided that any person or corporation except a country elevator taking or accepting any part of the crop or any part of the proceeds of the crop with certain exceptions as set out in the section, should be liable for the payment of the taxes to the extent of the share of the crop received. Difficulty has resulted from this provision, as a farmer in presenting a cash ticket to a bank, treasury branch or merchant, would be required to present with it a receipt for his taxes. Otherwise he might have difficulty in having the cash ticket accepted. The proposed amendment is to exempt from liability a chartered bank or treasury branch on receiving deposits of the proceeds of the sale of a crop, provided the deposit is not applied on indebtedness incurred prior to the 1st day of January of the year of deposit. It also protects a merchant who accepts a cash ticket in payment of goods sold or advances made in the same calendar year in which the ticket is received.

Section 8 of the amending Act amends section 42 of the Act by curing certain omissions.

This Act came into force on March 24, 1944.

ASSESSMENT ACT AMENDMENT ACT

(Chapter 43)

This Act amends The Assessment Act, chapter 157, R.S.A. 1942.

The amendment to section 5 is intended to make it clear that a dormitory building owned and operated by a school district or school division in a municipality is to be exempt from assessment, together with the land upon which it is situated.

The Act adds a new subsection to section 8. Subsection (2) of section 8 now requires that a municipality or collecting school district may impose a tax on personal property if a by-law is passed each year authorizing it. The object of the amendment which introduces a new subsection (2a) is to make it unnecessary to pass this by-law every year. The by-law when passed will remain in force from year to year until

repealed in some subsequent year by a by-law passed prior to the first of May in that year.

Section 3 of the amending Act adds a proviso to paragraph (b) of section 19. This paragraph provides for a re-assessment by a municipality before the first day of July where there has been an increase or decrease of the value of a parcel through erection or destruction of buildings, etc. The proviso limits the re-assessment by reason of decrease in value to events occurring prior to April 15th of which notice is given prior to April 30th.

This Act came into force on March 10, 1944.

TAX RECOVERY ACT AMENDMENT ACT

(Chapter 44)

This Act amends The Tax Recovery Act, chapter 161, R.S.A., 1942.

Subsection (5) of section 18 which is substituted by section 1 of the amending Act prohibited more than two readings at a meeting of a council of a by-law dealing with the sale of land under The Tax Recovery Act. This provision has caused delay owing to the fact that the council only meets once a month, and the amendment permits the third reading at a meeting if the council is unanimous.

The amendment to section 25 which deals with the surplus proceeds of a sale under tax recovery proceedings requiring an order for the payment of the proceeds to the persons entitled to be made within three years from the date of the sale, is intended to overcome cases of hardship where for various causes the persons entitled to share the surplus have not been able to obtain an order within three years. This is particularly so during war when notices to persons residing in England and elsewhere have not reached the persons interested. Under the amendment the Minister is given authority to extend the time on proper grounds.

The amendment made to the form of transfer appearing in the Schedule as Form B is intended to give more particulars for the information of the Registrar of Land Titles by requiring the insertion of the date of sale and of the purchase price of land sold under the Act.

This Act came into force on March 1, 1944.

LOCAL TAX ARREARS CONSOLIDATION ACT AMENDMENT ACT

(Chapter 45)

This Act Amends The Local Tax Arrears Consolidation Act, chapter 163, R.S.A., 1942.

The subsection amended by this Act provides for a consolidation of taxes in cases where the

land has been finally acquired by a municipality. The word "former" is introduced before the word "owner" because at the time of the application for consolidation the actual owner is the municipality.

This Act came into force on March 24, 1944.

SCHOOL ACT AMENDMENT ACT

(Chapter 46)

This Act amends The School Act, chapter 175, R.S.A., 1942.

The new subsection added to section 93 by section 1 of the amending Act is intended to remove a difficulty that has occurred where the chairman of the annual meeting is nominated as a candidate for election.

Section 2 of the amending Act amends section 98 by reverting to the method of voting formerly in use, namely, by making a cross instead of the figure "1" as the Act now provides.

Section 3 of the amending Act amends section 127, (a) by curing an omission. Paragraph (n) of the section now authorizes the making of provision for the attendance of children in high school grades at the school of another district, and the amendment authorizes the Board to contribute to their maintenance where they are required to live away from home. The new provision made by paragraph (b) authorizes the Board to provide scholarships.

Section 137a, which is amended by section 4 of the amending Act deals with the conveyance of pupils from one school district to another, and provides for an agreement being entered into with the parents to provide their own conveyance, the amount payable to any one family being limited to one dollar per day. The amendment increases this limit to one dollar and fifty cents per day.

Section 5 of the amending Act amends section 138 by striking out subsection (4). The Provisions of this subsection are now incorporated in the new section 138a. The latter section which is enacted by section 6 of the Amending Act authorizes the Board of a division or the Board of a district to make provision for the attendance at school of the children of a district other than by supplying conveyance for them.

The purpose of the new section 139 enacted by section 7 of the amending Act is to extend the operation of that section to school divisions as well as school districts outside of the division.

Section 8 of the amending Act enacts a new section 139a which exempts a Board from liability for negligence in the conveyance of children to school where they are being conveyed by a parent or guardian under an agreement with the Board.

Section 9 of the amending Act amends the provisions of section 155 relating to patriotic exercises, and strikes out subsection (2) and substitutes a new subsection (2) dealing with the flag salute. The effect of the change is to provide that in certain circumstances pupils may not be required to salute the flag beyond coming to attention and remaining at attention while the salute is being given in the manner prescribed.

The new section 160*a* introduced in the Act by section 10 of the amending Act prohibits persons being employed to teach children in kindergarten classes unless they are qualified in a manner approved by the Minister.

Section 166*a* is a new section enacted by section 11 of the Act and provides for the termination of contracts and engagements of a teacher at the end of the June term after the attainment by the teacher of the age of sixty-five years. Provision is made for retaining the services of teachers after that age as temporary teachers.

The amendment to section 173 made by section 12 of the amending Act changes the basis for computing a teacher's salary from a school year of two hundred days to one hundred and ninety days, due to the shorter year provided for by The Operation of Schools (War) Act. The provision is made retroactive to October 11th, 1943.

The amendment to section 176 made by section 13 of the amending Act adds to the duties of the teacher when requested so to do, namely to require a pupil to produce his birth certificate.

Section 14 of the amending Act adds a new paragraph to subsection (4) of section 215, which section deals with fees payable by pupils and authorizes the board of a district to pay the fees for which a parent or guardian may be liable, and also authorizes a board to assist the parent or guardian in defraying the cost of education of a pupil at a private school or institution in certain circumstances, not exceeding the fees which would be payable to schools under the Act.

The amendment to section 251 made by section 15 of the amending Act authorizes the Minister to re-subdivide a division which has been divided into less than five subdivisions. The effect of this really is to enable the Minister to increase the number of subdivisions in certain divisions from three to five.

The new section 270*a* contained in section 16 of the amending Act provides the machinery for representation on the divisional board in cases where the number of subdivisions has been increased under the provisions of the last mentioned section of the amending Act.

The first amendment to section 274 made by section 17 of the amending Act is to increase the mileage allowed to members of a divisional board from eight cents per mile to ten cents per mile. The second amendment is to subsection (2) of section 274, which subsection provides that where the board of a school district in a division passes a resolution requesting religious instruction subject to the provisions of the Act, and sends a copy of the resolution to the divisional board, it shall be the duty of the board to appoint a teacher nominated by the trustees of the district. The proviso merely requires that this nomination be forwarded to the board at least three weeks before the commencement of the December term, and also makes the provisions subject to the acceptance by the teacher of the nomination. By the third amendment, the same proviso is added to subsection (3) of section 274 which deals with a similar resolution by a board requiring a primary course in French.

The first amendment to section 275 contained in section 18 of the amending Act authorizes a divisional board to contribute toward the cost of operation of a full-time health district. These districts are organized under the provisions of The Public Health Act, and that Act contains provisions for extending services to school divisions. The second amendment to section 275 authorizes a divisional board to provide scholarships to pupils in the same manner as school districts outside of the divisions are authorized in a previous amendment in this Act.

Section 276 which is amended by section 19 of the amending Act, provides for the disqualification of members of a divisional board in certain cases, one being if a member absents himself from the meetings of the board for three consecutive months without being authorized by resolution, etc. The amendment disqualifies the member if he is absent from three consecutive meetings of the board.

Subsection (1) of section 287 which is struck out and a new subsection substituted by section 20 of the amending Act, refers to agreements made under section 280, which provides for the board of a division entering into an agreement with the board of a town, village, consolidated or separate school district for its inclusion in a division, and it also provides for an additional requisition being provided for in the agreement. Subsection (1) of section 287 which is struck out and substituted by a new subsection, provided for an amendment to the agreement after three years by increase or decrease of the amount of the additional requisition. The change made by the new subsection (1) is merely to remove doubt as to whether this subsection applied in a case where no additional amount had been provided for in the original agreement with the school district in question.

Section 21 of the amending Act amends section 288. That section deals with the case of a village being incorporated within a school division after the constitution of the division, and the effect of the present provision is that any school district which is situate wholly or partially within the limits of a village is not affected, and that every such school district shall continue as if the village had not been constituted. The amendment adds an exception with respect to requisitions and to the levy of taxes which shall be governed by the provisions of sections 289 to 297.

Section 22 of the amending Act strikes out section 290 and substitutes a new section 290. The principal change in this section is in subsection (2). The section was amended in 1943 to provide for a minimum tax not exceeding ten dollars to be payable with respect to any parcel of land on which a dwelling house is situated. The purpose of the amendment is to authorize a divisional board to fix a minimum tax not exceeding ten dollars for each dwelling house on a parcel, whether they consist of more than one separate building or more than one dwelling in one building each with a separate entrance, or whether consisting of apartments. Subsection (3) of the new section requires the proper officers of a municipality on request to furnish to a school division information necessary to enable the division to determine the amount of the minimum tax.

The amendment to Form I made by section 23 of the amending Act is to make the Form agree with an amendment made to section 253 last year which enabled nominations to be taken at any time during a meeting prior to four o'clock instead of from three to four o'clock p.m. as it formerly was.

This Act came into force on March 24, 1944.

SCHOOL TAXATION ACT AMENDMENT ACT

(Chapter 47)

This Act amends The School Taxation Act, chapter 176, R.S.A., 1942.

Section 3 of the Act, which is amended by section 1 of the amending Act, enumerates classes of school districts which are, subject to sections 4 to 26 of the Act, dealing with tax collection.

Section 2 of the amending Act corrects an error in a cross reference to a section.

The new subsections (8) and (9) added to section 8 of the Act by section 3 of the amending Act declare as void any agreement whereby an employee authorizes his employer to deduct from his wages a sum designated as or intended for school purposes when the board of the

school district has no authority to collect the minimum tax or poll tax. Any contravention of subsection (8) is made an offence by subsection (9) and punishable on summary conviction by a fine not exceeding the sum of fifty dollars and costs.

Section 4 of the amending Act corrects the heading to Part IV of the Act to make it agree with the facts.

The amendments made to section 27 by the introduction of paragraphs (c) and (cc) in subsection (3) are to enable the Minister to give a rural school board in one or more improvement districts authority to requisition the Minister of Municipal Affairs for the amount of its estimate when the Minister authorizes such a requisition. If the Minister does not in any case authorize the requisition, the board will collect its taxes in accordance with the existing provisions of the Act.

This Act came into force on March 24, 1944.

SCHOOL GRANTS ACT AMENDMENT ACT

(Chapter 48)

This Act amends The School Grants Act, chapter 177, R.S.A., 1942.

The new subsection (3) added to section 6 of the Act by section 1 of the amending Act authorizes in large districts where it is necessary for the board to provide vans to convey the children, grants equal to those now made to consolidated districts. Subsection (4) makes a similar provision for a school division which makes adequate provision for education of senior pupils at a graded school in a district other than the one in which they reside.

The new paragraph (f) added to section 7 of the Act by section 2 of the amending Act provides similar grants to village and town districts which enter into an agreement with another village or town district or a school division for the education of pupils in grades above Grade VIII in a high school offering instruction above Grade VIII exclusively.

Section 3 of the amending Act strikes out subsections (5) and (6) of section 26. These subsections placed a maximum on grants to school districts, and these provisions are considered as working hardships on some of the poorer districts, and it is considered advisable to remove the maximum amounts.

The new section 27a enacted by section 4 of the amending Act provides for assistance of school districts and school divisions in erecting a teacher's residence and buildings to be used for school purposes. Provision is made in subsection (3) for the erection of the buildings in accordance with plans and specifications approved by the Minister, and it is further pro-

vided that the board shall contribute not less than 20% of the cost, the amount of the contribution to be determined by the Minister.

This Act came into force on March 24, 1944.

SCHOOL ATTENDANCE ACT AMENDMENT ACT

(Chapter 49)

This Act amends section 3 of The School Attendance Act, chapter 178, R.S.A., 1942. That section provides for compulsory school attendance up to the age of fifteen years. The purpose of the amendment is to require the continuation of the attendance until the end of the June term if the pupil becomes fifteen years of age during that term.

Subsection (8) of section 7 which is amended by section 2 of the amending Act, required an attendance officer to report monthly to the school board as well as to the Department. The amendment strikes out the provision requiring the report to the Department, as this is no longer considered necessary.

This Act came into force on March 10, 1944.

TEACHERS' RETIREMENT FUND ACT AMENDMENT ACT

(Chapter 50)

This Act amends The Teachers' Retirement Fund Act, chapter 180, R.S.A., 1942.

The amendment to section 2 enacts a definition of "salary" which was not in the Act before and is included now to make it clear that any bonuses paid to a teacher whether by the school board or by the Province shall be included in the amount upon which the teacher's contribution and also the board's contribution to the retirement fund is estimated. The amendment is made retroactive to September 1st, 1943.

This Act came into force on March 24, 1944.

ALBERTA SCHOOL TRUSTEES' ASSOCIATION ACT AMENDMENT ACT

(Chapter 51)

This Act amends The Alberta School Trustees' Association Act, chapter 181, R.S.A., 1942.

Section 6 of the Act, which is amended by section 1 of the amending Act, defines who may be members of the association, and the new paragraph (e) refers to members of rural districts outside of divisions. This provision was already in the Act in subsection (3) and the provision is moved to its proper place in subsection (1).

Subsection (3) of section 6 which is struck out by the amending Act, provided for the membership in addition to members of rural districts outside of divisions, for two delegates appointed by each divisional and each inspectorate school trustees' association. The new subsection (3) brings the membership up to date by eliminating the inspectorate school trustees' association.

This Act came into force on March 24, 1944.

OPERATION OF SCHOOLS (WAR) ACT AMENDMENT ACT

(Chapter 52)

This Act, which is chapter 6 of the Statutes of Alberta, 1943, provided for the school summer vacation being from the first of August to the day immediately preceding the second Monday in October. The purpose of the amendment is to change the holiday period to the period from the sixteenth day of July to the thirtieth day of September (both inclusive).

This Act came into force on March 24, 1944.

PUBLIC HEALTH ACT AMENDMENT ACT

(Chapter 53)

This Act amends The Public Health Act, chapter 183, R.S.A., 1942.

The amendments to sections 6 and 7 incorporate a reference to full-time health districts. The sections formerly referred only to local boards of health.

The new section 10 enacted by section 5 of the amending Act omits the former requirement of submitting an analysis of water from the proposed source of supply with the application to the Provincial Board of Health for a certificate authorizing construction of a waterworks system. Subsection (2) of the section authorizes the Board to require changes in plans and specifications before granting a certificate, and subsection (3) exempts from the requirement of a certificate certain minor alterations in a waterworks system. Subsection (4) prohibits a waterworks superintendent from extending a waterworks system without the written authority of his employers and subsection (5) imposes penalties for breach of section 10.

Section 6 of the amending Act strikes out sections 12 and 13 and substitutes therefor nine new sections.

The new section 12 by subsection (1) gives the supervision of all springs, wells, etc. used as the source of a public water supply etc. in so far as the purity of the water is concerned to the Provincial Board. Subsection (2) authorizes the Board to inquire into and deter-

mine complaints made by riparian owners as to pollution of water. When the Board recommends the removal or treatment of the polluting material, the riparian owner or the Minister may apply to a judge for an order in accordance with the recommendation of the Board.

The new section 13 empowers the Provincial Board to prescribe an area surrounding and including a reservoir of water intended for human consumption to which no live stock shall be allowed access and within which no sewage etc. may be deposited. Subsection (2) prescribes penalties for breaches of subsection (1). Subsection (3) prescribes a penalty for bathing or swimming in the reservoir.

The new section 13a requires a water company or municipality or any person distributing water to make returns when required by the Board and prescribes a penalty for failing to do so.

The new section 13b prohibits the construction of a sewerage project without a certificate from the Board, and prescribes the material which must accompany the application for a certificate and defines the powers and duties of the Board as to investigation of the sanitary requirements and the imposition of conditions as to the project or the disposal of sewage.

The new section 13c empowers the Board to require alterations or additions to a waterworks or sewerage system where such are considered necessary to guard against injury or dangers to the public health.

The new section 13d authorizes the Board to require returns from any person responsible for the operation of a sewerage project.

The new section 13e prohibits a municipality passing a by-law for raising money for the purpose of constructing or altering a waterworks system or sewerage project until the by-law has been approved by the Provincial Board.

The new section 13f authorizes the Board when of opinion that any of the works mentioned in the section are necessary in the interest of the public health in a municipality, (that is, in a city, town or village), to notify the council to take the necessary steps within a prescribed time, and it is provided that where such notice is given, it is not necessary for a by-law authorizing a borrowing to be submitted to the proprietary electors or burgesses. Penalties are provided in the new section 13g for failure on the part of a municipality to comply with the notice.

Section 7 of the amending Act introduces a new section 23a which is intended to overcome difficulties which have arisen where there has been an overlapping of full-time health districts and districts governed by local boards of health.

The effect of the section is that where a municipality is included in a full-time health district it shall cease to be a health district or governed by the local board of health, and full jurisdiction under the Act is given to the full-time health district and to its medical practitioner, who will have the powers formerly exercised by the local medical officer of health.

Section 8 of the amending Act adds a new section to the Act and provides a day to day penalty for a person previously convicted with respect to a nuisance or some unsanitary condition who fails to remedy the condition after notice from the Board.

This Act came into force on March 24, 1944.

HOSPITALS ACT AMENDMENT ACT

(Chapter 54)

This Act amends The Hospitals Act, chapter 184, R.S.A., 1942.

Section 4 of the Act gives the Lieutenant Governor in Council power to prescribe regulations respecting the management, maintenance, operation of and accommodation in hospitals, and the proposed amendment to this section is to remove any doubt as to whether the Lieutenant Governor in Council may make regulations dealing with the appointment, dismissal and suspension of the medical staff of a hospital.

Section 6 of the Act dealing with the treatment by hospitals of indigent residents of municipalities, places a limit of liability on the municipality for each patient of Two Hundred Dollars a year, the result being that in many cases hospitals are put to a great expense in treating indigents without any return beyond the Two Hundred Dollars in the year. Some municipalities have expressed willingness to pay more than Two hundred Dollars in certain cases, and the object of the amendment is to allow a municipality to do this without any liability being imposed upon the councillors who are authorizing such additional payment.

This Act came into force on March 1, 1944.

MUNICIPAL HOSPITALS ACT AMENDMENT ACT

(Chapter 55)

This Act amends The Municipal Hospitals Act, chapter 185, R.S.A., 1942.

The purpose of the amendment to section 51 is to provide that the election of the chairman and vice-chairman shall not be held until March so that members elected at municipal elections in February may be present.

This Act came into force on March 1, 1944.

TUBERCULOSIS ACT AMENDMENT ACT

(Chapter 56)

This Act amends The Tuberculosis Act, chapter 195, R.S.A., 1942.

The Act as it now stands provides for free hospitalization in a sanatorium of residents of Alberta suffering from tuberculosis. There are cases of non-tuberculosis lung diseases which really require treatment in a sanatorium and which are not covered by the Act. The amendment authorizes the Minister to make agreements with local authorities for the treatment of such persons, the terms of the agreements, including the cost of the treatment, being left to be determined by the Minister and the local authority.

This Act came into force on March 1, 1944.

VENEREAL DISEASES' PREVENTION ACT AMENDMENT ACT

(Chapter 57)

This Act amends The Venereal Diseases' Prevention Act, chapter 196, R.S.A., 1942.

The purpose of the amendment to subsection (1) of section 3 is to extend the authority of the Provincial Board of Health as to examination of prisoners in gaol in cases where they have been convicted under The Juvenile Delinquents Act, 1929, as well as under The Criminal Code.

The amendment to subsection (2) of section 3 extends the operation of that section to cases where a person is under arrest or in custody under The Juvenile Delinquents Act, 1929.

Similarly, the amendment to section 4 (1) (b) (ii) extends the authority of the magistrate to persons before him charged under The Juvenile Delinquents Act, 1929.

This Act came into force on March 24, 1944.

GOVERNMENT OF ALBERTA INSURANCE ACT AMENDMENT ACT

(Chapter 58)

This Act amends The Government of Alberta Insurance Act, R.S.A., 1942, chapter 202.

The amendments made to section 18 of the Act are intended to make it clear that the advances authorized to be made from the General Revenue Fund are not confined to financing initial expenses and that the Provincial Treasurer is obligated to advance out of revenue, any amounts necessary to pay claims under the policies of insurance.

The amendments made by section 2 of the amending Act to section 20 of the Act require

profits made by the Insurance Office up to Five Hundred Thousand Dollars to be retained and authorizes only amounts over that sum to be transferred to revenue.

This Act came into force on March 1, 1944.

SALE OF CHATTELS BY PUBLIC AUCTION ACT AMENDMENT ACT

(Chapter 59)

This Act amends The Sale of Chattels by Public Auction Act, chapter 227, R.S.A., 1942.

The amendment to section 13 imposes an additional duty on auctioneers, namely, to furnish persons interested in goods sold with an itemized statement within fourteen days after the sale.

This Act came into force on March 24, 1944.

THRESHERS' LIEN ACT AMENDMENT ACT

(Chapter 60)

This Act amends The Threshers' Lien Act, chapter 237, R.S.A., 1942, by striking out Part I and the Schedule to the Act. This part relates to the registration of threshing machines and returns required to be made by persons operating threshing machines. Owing to the change of conditions, it is the view of the Minister of Agriculture that no useful purpose is any longer served in retaining the provisions relating to the licensing of threshing machines or in requiring returns from persons operating threshing machines.

Section 15 is amended by giving the Minister of Lands and Mines the same authority to require a statement or statutory declaration from a thresher as is now possessed by the Minister of Municipal Affairs.

This Act came into force on March 24, 1944.

ALBERTA CO-OPERATIVE RURAL CREDIT ACT AMENDMENT ACT

(Chapter 61)

This Act amends The Alberta Co-operative Rural Credit Act, chapter 248, R.S.A., 1942.

Section 80 is amended by striking out subsection (2) and substituting a new subsection. The present subsection appears to require at least six and one-half per cent interest to be payable on loans, a portion of which goes to the Minister to be held by him as part of the sinking fund of the society. Loans are now being made at lower rates of interest than formerly, and the new subsection provides that the portion of interest payable to the Minister

for the sinking fund shall be limited to one-half of one per cent, and the minimum rate of interest is no longer applicable.

Section 2 of the amending Act enacts a new section 81, the principal effect of which is that when a lien is filed in the Registration Office and the Land Titles Office it continues as a security in favour of the society not only for the original loan but for any subsequent loans, without it being necessary to file a new lien when any loan is paid off and a new loan made. The experience of the beet sugar societies is that in most cases loans are paid off in the same year in which they are incurred so that under the section as it now stands it is necessary to file new liens each year. The amendment will result in a great saving of time and work not only to the beet sugar societies but also to the Registrar of Land Titles and the Clerk of the Registration District.

Section 3 of the amending Act provides for the amendment of the Schedule made necessary by the amendment to section 81.

This Act came into force on March 10, 1944.

CO-OPERATIVE ASSOCIATIONS ACT AMENDMENT ACT

(Chapter 62)

This Act amends the Schedule to The Co-operative Associations Act, chapter 250, R.S.A., 1942, by striking out the fee of twenty-five cents for filing any document, and reducing the fee for filing amended by-laws or rules from \$2.50 to \$1.00.

This Act came into force on March 10, 1944.

BUILDING ASSOCIATIONS ACT AMEND- MENT ACT

(Chapter 63)

This Act amends The Building Associations Act. In the administration of this Act it has been found desirable to obtain the assistance of the Supervisor of Co-operative Activities and the purpose of this amendment is to give the Supervisor full authority to carry out the duties imposed upon the Board under section 46 where the Board delegates that power to him.

This Act came into force on March 1, 1944.

DAIRYMEN'S ACT AMENDMENT ACT

(Chapter 64)

This Act makes a number of minor amendments to The Dairymen's Act, chapter 258 of the Revised Statutes of Alberta, 1942.

“Process cheese plants” as defined in section 1 of the amending Act, are brought within the scope of the Act, and a number of the amendments are made simply to effect that purpose.

The amendments to sections 29 and 30 of the Act made by sections 3 and 4 of the amending Act are intended to make it clear that the use of the Babcock test for the purposes mentioned is compulsory. The amendment makes the statutory provision agree with the present practice.

Section 5 of the amending Act strikes out the words “or cream” from section 31 of the Act dealing with a composite test to determine the percentage of butterfat. This test is not used with respect to cream; therefore the words “or cream” are to be struck out.

Section 6 of the amending Act enacts a new section 36a, the purpose of which is to make the provisions of sections 31 to 36 of the Act apply to dairies. This conforms to present practice.

The amendments to sections 39 and 47 made by sections 8 and 11 of the amending Act are to prevent overlapping and conflict between the sections which now exist.

Section 12 amends section 49 of the Act by introducing a new subsection (1) which includes in the revenue to be deposited in a Special Trust Fund that derived from the check-weighing of butter, and changes the name of the account to comply with the foregoing amendment.

This Act came into force on March 1, 1944.

FIRE PREVENTION ACT AMENDMENT ACT

(Chapter 65)

This Act amends The Fire Prevention Act, chapter 266 of the Revised Statutes of Alberta, 1942.

Section 1 changes the definition of “owner.” As the definition now appears in the Act, “owner” is confined to the registered owner. Frequently the registered owner has no interest in the property, or only a small interest under an agreement of sale, and difficulty has been found in administering the Act by reason of this narrow description. The amendment widens the definition to include purchasers under an agreement of sale, unregistered owners and persons who are holding themselves out as owners, or exercising the powers of ownership.

The amendment to section 20 of the Act made by section 2 of the amending Act is to remove doubts which have arisen in the administration of the Act as to the powers of inspection and of making orders with respect to fire

alarm systems, fire extinguishing equipment, and the maintenance of fire escapes and proper access to them.

Section 3 of the amending Act strikes out subsections (2), (3), (4) and (5) of section 21 and inserts four new subsections in their place. These changes are partly made necessary by the new definition of "owner," and the only material change apart from that is in subsection (5) where the amounts paid by any municipality to the fire commissioner to reimburse the latter for expenses in carrying out improvements in buildings where orders have not been complied with by the owner are made a charge having the same priority as taxes, that is, they would come ahead of mortgages and other incumbrances whereas in the subsection as it now stands these charges would come after existing incumbrances.

This Act came into force on March 10, 1944.

OLD AGE PENSIONS ACT, ALBERTA AMENDMENT ACT

(Chapter 66)

This Act amends The Old Age Pensions Act, Alberta, chapter 269, R.S.A., 1942, by validating an Order in Council which was made on September 23rd, 1943, authorizing an agreement with the Dominion Government whereby the maximum amount of old age and blind pensions was to be increased by five dollars per month. The Order in Council became effective on September 1st last and was made subject to validation by the legislature.

This Act came into force on March 24, 1944.

PUBLIC SERVICE VEHICLES ACT AMENDMENT ACT

(Chapter 67)

This Act amends The Public Service Vehicles Act, chapter 276, R.S.A., 1942.

By section 76 of The Vehicles and Highway Traffic Act, certain powers under that Act were transferred to the Minister of Public Works. These powers related to public service and commercial vehicles, licenses of operators of public service and commercial vehicles, licensing of chauffeurs, and financial responsibility of the owners and drivers of public service vehicles. In practice these powers are exercised by the Highway Traffic Board constituted under The Public Service Vehicles Act, and it is desired that the jurisdiction of the Board should be made clear by amendment. The new section 7a provides that the above powers shall be exercised by the Board.

This Act came into force on March 10, 1944.

FIRE DEPARTMENTS PLATOON ACT AMENDMENT ACT

(Chapter 68)

This Act amends The Fire Departments Platoon Act, chapter 278, R.S.A., 1942.

Section 3 of the Act provides that the council of any city or town having a population of not less than 8,000 may provide by by-law for the division of the members of the fire department into three platoons, and subsection (2) of that section provides that the by-law to be effective must be submitted to the electors of the city or town at the annual election for councillors. Some difficulty arose recently in a city of the Province which desired to submit such a by-law, but there was no voting for councillors, they having been elected by acclamation, and the city desires to submit a by-law to the electors without waiting for the next election of councillors when the same difficulty may arise again. The amendment adds a proviso to subsection (3) to the effect that if there is no annual election of councillors, the council shall fix as early a date as possible thereafter for the submission of the by-law.

This Act came into force on March 1, 1944.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT ACT

(Chapter 69)

This Act amends The Industrial Conciliation and Arbitration Act, chapter 280, R.S.A., 1942.

Section 1 of the amending Act amends section 2 of the Act by inserting new definitions of "Bargain collectively," "Collective bargaining agency" and "Board of Industrial Relations." The first defines an expression already in the Act which was not defined. The other two expressions appear in the amendments. The definition of "dispute" is amended by changing the words "a majority of any class or category of his employees" to "a majority of a unit or classification of his employees", the latter expression being thought more definite. The amendment to paragraph (e) limits the definition of "employee" to those employed otherwise than temporarily. The definition of "organization" is changed by omitting a reference to trade unions which are defined separately by the addition of paragraph (k).

Section 2 of the amending Act strikes out section 4 of the Act which reads as follows: "The right of employers and employees to organize for any lawful purpose is hereby recognized", and substitutes the following:

"4. A collective bargaining agency and the acts thereof shall not be deemed to be unlawful by reason only that one or more of its objects are in restraint of trade."

It was thought that section 4 did not give employees any privilege not already existing, and accordingly the new section 4 is introduced.

Section 3 of the amending Act strikes out section 5 of the Act, dealing with collective bargaining, and substitutes a new section providing more complete machinery. It has been found in practice that no tribunal had been set up to determine, in cases of dispute, whether any particular group of employees was an appropriate unit for collective bargaining, and whether any particular trade union or association had been duly appointed a bargaining agent. These matters under the new section 5, are to be referred to the Board of Industrial Relations for decision with an appeal to the Minister who will, in proper cases, refer them to a Board of Arbitration for final decision. Representation may be made in each case by the bargaining agent, any other body claiming to be a bargaining agent and nominated as such at the meeting of employees, and employers or their representatives. The new section 5 also provides for the Board of Industrial Relations or the Minister directing the taking of a vote on other questions in dispute involving labour relations.

Section 5a of the Act, enacted in 1943, and section 7 of the Act are amended by sections 4 and 5 of the amending Act to make them accord with other amendments made by this Act. Subsection (5) of the new section 5a puts a time limit of thirty days on negotiations looking towards the completion of a collective agreement, after which time the Minister may intervene in the matter if an agreement has not been reached.

Section 45 of the Act is repealed and a new section substituted. The change made is in the introduction of the words "directly affected by the award", and the words "so directly affected", thus limiting the vote after an arbitration award to the employees affected, in cases where only a unit or classification of employees is a party to the dispute.

The new section 48a enacted by section 7 of the amending Act provides for deduction of union dues from an employee's wages when he gives a written order to that effect. The provision is practically the same as that in The Mines Act relating to union dues.

The new section 54 authorizes the Lieutenant Governor in Council to bring into effect in Alberta the Dominion Order in Council P.C. 1003 of The Wartime Labour Relations Regulations with respect to employments which are still under Provincial control, and authorizes the making of an agreement with the Government of Canada for the administration by the Province of the said regulations.

This Act came into force on March 24, 1944.

INDUSTRIAL WAGES SECURITY ACT AMENDMENT ACT

(Chapter 70)

This Act amends The Industrial Wages Security Act, chapter 281, R.S.A., 1942.

The definition of "mine" is extended to include in the mining industry work done prior to the actual getting of coal in preparing land for the mining.

The definition of "employer" is extended so that a person engaged in the industry will be required to lodge security for the wages of employees of contractors who may be doing work for the owner of the industry by means of a contract.

This Act came into force on March 24, 1944.

BOILERS ACT AMENDMENT ACT

(Chapter 71)

This Act amends The Boilers Act, chapter 307, R.S.A., 1942.

Section 1 of the amending Act introduces a number of new definitions and a number of changes in definition.

Section 2 of the amending Act provides for the appointment of inspectors and assistant inspectors of unfired pressure vessels and machinery and duly sets out the qualifications for such inspectors and assistant inspectors.

This Act came into force on March 24, 1944.

CHANGE OF NAME ACT AMENDMENT ACT

(Chapter 72)

Section 1 of the amending Act adds a proviso to section 3 providing that where a wife is mentally incompetent, the Administrator of Estates of the Mentally Incompetent may consent on her behalf.

Paragraph (c) of section 4 which is struck out by section 2 of the amending Act reads as follows:

"(c) A certified copy of his naturalization certificate where the applicant is a British subject by naturalization;"

This is a portion of the material required to be furnished on an application for change of name. It does not provide for the case of persons who under the former provisions of the Naturalization Act became British subjects by virtue of the naturalization of the father. The amendment is to make it possible for such persons to furnish proof of their naturalization.

This Act came into force on March 1, 1944.

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